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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
HA, LEYNNA A

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 08/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/685,192	JOHNSON, ANDERS
	Examiner	Art Unit
	LEYNNA T. HA	2135

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 June 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,7-17,19-23 and 27-29* is/are pending in the application.   Cancelled.
    4a) Of the above claim(s) *5-6, 18, and 24-26* is/are ~~withdrawn from consideration~~.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,7-17,19-23 and 27-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
          application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   Applicant amended claims 1, 1-8, 13, and 20. Applicant cancelled

claims 5-6, 18, and 24-26.

Claims 1-4, 7-17, 19-23, and 27-29 are now pending.

2.   This is a Final rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

3.   **Claims 1-4, 7-17, 19-23, and 27-29 are rejected under 35**

U.S.C. 103(a) as being unpatentable over Tello (US 6,463,537) and further

view in view of Angelo, et al. (US 6,370,649).

As per claim 1:

Tello discloses an apparatus for enabling functionality of a component,

wherein comprises an identification module for storing an identification

number therein (COL.15, lines 44-45), a hash function module in

communication with the identification module (COL.16, lines 30-33), a host in

communication with the identification module (COL.9, lines 21-31), a guess register in communication with the host, an encryption module in communication with the guess register (COL.24, lines 46-50), a public key module in communication with the encryption module for storing a public key therein (COL.15, lines 6-9), and a comparator in communication with the encryption module and the hash function module (COL.16, lines 40-55) wherein the comparator compares a first bit string to a second bit string (col.15, lines 52-65 and col.16, lines 13-26) to generate a function enable output for the component (col.19, lines 12-25 and col.37, lines 27-42). Tello teach a selecting device as the control line (PIDEMIST_CTRL) is used to disable or enable the Primary Master IDE slot. The PIDEMIST_CTRL logically connects to the programmable device which is connected to the security engine microprocessor and the OR gate which is connected to the AND gate which in turn is connected through a Slave line to the data switch IC (COL.13, lines 15-17) and connected to the control line between the OR gate which is connected to the AND gate and the programmable device is the pull up resistor (COL.13, lines 56-58) of which the switch and the pull up resistor makes the bonding option output. Therefore, Tello has the capability to set the control line to HIGH or LOW wherein having the selecting device to either disable the line or enable the line to allow the motherboard microprocessor to recognize a device connected to the Primary Slave IDE slot (COL.13, lines 59-67) that comprises

an OR gate having at least one input for receiving the function enable output and the bonding option output.

However, Tello fails to include the host is configured to communicate with a manufacturer to request a guess passcode corresponding to the identification number stored in said identification module.

Angelo teaches a computer system that implements a fail safe password system that allows the manufacturer to securely supply a password to users (col.2, lines 1-2) that is based on the date and serial number (col.6, lines 16-18). It would have been obvious for a person of ordinary skills in the art to communicate to request a password corresponding to the identification number because the password supplied by the manufacturer is stored in a secure non-volatile memory that helps ensure users who lose or misplace their passwords from being bypassed and by the manufacturer supplying the password is less likely to obtain than if the passwords were to be stored in the computers themselves (col.1, lines 31-63).

As per claim 2: See Tello on col.14, lines 62-63 and col.24, lines 46-52; discussing identification module comprises an onboard nonvolatile register.

As per claim 3: See Tello on col.7, lines 64-66 discussing one way hash function.

As per claim 4: See Tello on col.23, lines 55-61 and col.24, lines 19-50; discussing the encryption module further comprises a public key encryption module wherein is configured to receive the public key and guess passcode as

inputs and generates a ciphertext bit string as an output (col.19, lines 12-25

and col.37, lines 27-42).

As per claim 5:   Cancelled

As per claim 6:   Cancelled

As per claim 7:

Tello discusses the bonding option circuit comprising a pull resistor in

communication with the OR gate, a power supply, and a switch (COL.13, lines

12-15 and 37-39) in communication with a ground potential and the OR gate

(COL.6, line 60 – COL.7, line 3).

As per claim 8:

Tello includes a multiplexer having at least one multiplexer input in

communication with the comparator and a multiplexer output, a selection

circuit in communication with at least one multiplexer input (COL.13, lines 5-

49), and a bonding option circuit in communication with the multiplexer input

wherein the multiplexer is configured to receive a selection input from the

selection circuit that is used to determine whether to enable functionality

(COL.9, lines 33-49 and COL.12, lines 35-45) of said component in accordance

with the bonding option output or the function enable output 9col.19, lines 12-

25 and col.37, lines 27-42).

As per claim 9:

Tello discusses at least a first non-volatile memory location having at least one

first selection bit stored therein and at least second non-volatile memory

location having at least one second selection bit stored therein (COL.15, lines 1-35). Further, Tello includes an OR gate having a first input, a second inverted input, and a logic output with the first input being in communication with at least one first non-volatile memory location and the second inverted input being in communication with at least one second non-volatile memory location (col.19, lines 12-25 and col.37, lines 27-42) wherein the selection circuit is configured to generate a selection indicator on the logic output of the OR gate in accordance with the first selection bit and the second selection bit (COL.13, lines 6-58).

As per claim 10: See Tello on col.15, lines 52-65; col.16, lines 13-26 and col.20, lines 1-23; discussing the ciphertext bit string.

As per claim 11: See Tello on col.16, lines 30-32 discussing the hash value generated by the hash function module.

As per claim 12: See Tello on col.11, lines 50-52 discussing the network switch and a media access controller.

As per claim 13:

Tello discloses a component for selectively enabling functionality of an electronic device comprising a means for generating an encrypted bit string (COL.15, lines 7-11), a hash function module in communication with the identification module (COL.15, lines 21-23) and a means for acquiring a guess passcode (COL.9, lines 20-24). Tello includes a hash function in communication with an on board memory having a predefined identification

number stored therein (COL.9, lines 26-30) and means for determining if the encrypted bit string matches the guess passcode (COL.16, lines 40-55 and COL.24, lines 47-52) and means for outputting a functionality enable signal (col.19, lines 12-25 and col.37, lines 27-42). Tello teach a selecting device as the control line (PIDEMIST_CTRL) is used to disable or enable the Primary Master IDE slot. The PIDEMIST_CTRL logically connects to the programmable device which is connected to the security engine microprocessor and the OR gate which is connected to the AND gate which in turn is connected through a Slave line to the data switch IC (COL.13, lines 15-17) and connected to the control line between the OR gate which is connected to the AND gate and the programmable device is the pull up resistor (COL.13, lines 56-58) of which the switch and the pull up resistor makes the bonding option output. Therefore, Tello has the capability to set the control line to HIGH or LOW wherein having the selecting device to either disable the line or enable the line to allow the motherboard microprocessor to recognize a device connected to the Primary Slave IDE slot (COL.13, lines 59-67) that comprises an OR gate having at least one input for receiving the function enable output and the bonding option output.

However, Tello fails to include the acquiring the passcode or password from a manufacturer.

Angelo teaches a computer system that implements a fail safe password system that allows the manufacturer to securely supply a password to users

(col.2, lines 1-2) that is based on the date and serial number (col.6, lines 16-18). It would have been obvious for a person of ordinary skills in the art to communicate to request a password corresponding to the identification number because the password supplied by the manufacturer is stored in a secure non-volatile memory that helps ensure users who lose or misplace their passwords from being bypassed and by the manufacturer supplying the password is less likely to obtain than if the passwords were to be stored in the computers themselves (col.1, lines 31-63).

As per claim 14: See Tello on col.20, lines 1-23 discussing the a public key encryption module is in communication with the public key module having a public key stored therein and a guess register in communication (col.19, lines 12-25 and col.37, lines 27-42) with the public key encryption module wherein receives the guess passcode from the guess register and the public key from the public key module in order to generate a ciphertext bit string (COL.37, line 26 – COL.38, line 7).

As per claim 15:

Tello discloses a host in communication with means for generating an encrypted bit string (COL.15, lines 7-11), an identification module in communication with the host (COL.9, lines 20-24) wherein the host is configured to communicate (col.19, lines 12-25 and col.37, lines 27-42) with a manufacturer of the component to request the guess passcode corresponding

to an identification number stored in the identification module (COL.38, lines

11-48).

As per claim 16:

Tello includes an onboard nonvolatile register having an identification number

stored therein (col.14, lines 62-63 and col.24, lines 46-52) and a one-way hash

function module that receives an identification number from the on board

memory and generates a corresponding hash value (col.16, lines 30-33).

As per claim 17: See Tello on col.24, lines 48-52 discussing a comparator.

As per claim 18: Cancelled

As per claim 19: See Tello on col.11, lines 50-52 discussing the network

switch and a media access controller.

As per claim 20:

Tello discloses the steps of encrypting a first bit string and a second bit

string to generate a third bit string (COL.37, line 26 – COL.38, line 7),

calculating the fourth bit string (COL.16, lines30-33), comparing the fourth bit

string to the third bit string, and generating the function enable signal in

accordance with the comparison (col.15, lines 52-65 and col.16, lines 13-26).

Tello teach a selecting device as the control line (PIDEMIST_CTRL) is used to

disable or enable the Primary Master IDE slot. The PIDEMIST_CTRL logically

connects to the programmable device which is connected to the security engine

microprocessor and the OR gate which is connected to the AND gate which in

turn is connected through a Slave line to the data switch IC (COL.13, lines 15-

17) and connected to the control line between the OR gate which is connected to the AND gate and the programmable device is the pull up resistor (COL.13, lines 56-58) of which the switch and the pull up resistor makes the bonding option output. Therefore, Tello has the capability to set the control line to HIGH or LOW wherein having the selecting device to either disable the line or enable the line to allow the motherboard microprocessor to recognize a device connected to the Primary Slave IDE slot (COL.13, lines 59-67) that comprises an OR gate having at least one input for receiving the function enable output and the bonding option output.

However, Tello fails to include determining the password by requesting a password from a manufacturer.

Angelo teaches a computer system that implements a fail safe password system that allows the manufacturer to securely supply a password to users (col.2, lines 1-2) that is based on the date and serial number (col.6, lines 16-18). It would have been obvious for a person of ordinary skills in the art to communicate to request a password corresponding to the identification number because the password supplied by the manufacturer is stored in a secure non-volatile memory that helps ensure users who lose or misplace their passwords from being bypassed and by the manufacturer supplying the password is less likely to obtain than if the passwords were to be stored in the computers themselves (col.1, lines 31-63).

As per claim 21: See Tello on col.20, lines 1-23 discusses receiving the public key and a guess passcode in an encryption module wherein encrypting the public key and the passcode to generate a ciphertext bit string (COL.37, line 26 – COL.38, line 7).

As per claim 22: See Tello on col.16, lines 30-32 discussing generating a hash value corresponding to the hash function module.

As per claim 23:

Tello discusses the fourth bit string representing the hash value (COL.16, lines30-33) and the third bit string representing the ciphertext bit string (COL.37, line 26 – COL.38, line 7) and comparing the fourth bit string to the third bit string (col.15, lines 52-65 and col.16, lines 13-26).

As per claim 24: Cancelled

As per claim 25: Cancelled

As per claim 26: Cancelled

As per claim 27: See Tello on col.9, lines 21-31 and col.24, lines 15-23; discusses calculating the passcode with the predetermined algorithm and transmitting the passcode to an on board host.

As per claim 28: See Tello on col.20, lines 13-15 discussing the different types of connections.

As per claim 29: See Tello on col.11, lines 50-52 discussing the network switch and a media access controller.

Response to Arguments

4.   **Applicant's arguments with respect to claims 1-4, 7-17, 19-23, and 27-29 have been considered but are moot in view of the new ground(s) of rejection.**

Tello teach a selecting device as the control line (PIDEMIST_CTRL) is used to disable or enable the Primary Master IDE slot. The PIDEMIST_CTRL logically connects to the programmable device which is connected to the security engine microprocessor and the OR gate which is connected to the AND gate which in turn is connected through a Slave line to the data switch IC (COL.13, lines 15-17) and connected to the control line between the OR gate which is connected to the AND gate and the programmable device is the pull up resistor (COL.13, lines 56-58) of which the switch and the pull up resistor makes the bonding option output. Therefore, Tello has the capability to set the control line to HIGH or LOW wherein having the selecting device to either disable the line or enable the line to allow the motherboard microprocessor to recognize a device connected to the Primary Slave IDE slot (COL.13, lines 59-67) that comprises an OR gate for receiving the function enable output and the bonding option output.

The Examiner finds that the OR gate is inherently known for controlling access to privileged functions and to switch tasks. Hence, Tello discloses a selecting device that comprises the OR gate having at least one input for

receiving functions such as the function enable output and the bonding option output.

To clarify the inherent functions of the OR gate, the Examiner points to the Microsoft Computer Dictionary. According to the Microsoft Computer Dictionary, a gate is an electronic switch that produces an electrical output signal that represent a binary 1 or 0 and is released to the states of one or more input signals by an operation of Boolean logic and is a data structure used to control access to privileged functions, to change data segments, or to switch tasks (pg.232). The term, "OR gate" is defined as one of the three basic logic gates from which all digital systems can be built and the output of an OR circuit is true (1) if any input is true (pg.381). Therefore, it is inherent the selecting device comprises the OR gate is used to control access to privileged functions, to change data segments, or to switch tasks. Thus, the selecting device of Tello can disable or enable the line to allow the motherboard microprocessor to recognize the device connected to the Primary Slave IDE slot because of the OR gate which controls access to privileged functions and able to switch tasks.

Conclusion

5.   THIS ACTION IS MADE FINAL. Applicant is reminded of the extension

of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply

is filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In

no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LEYNNA T. HA whose telephone number is (571) 272-

3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LHa

Primary Examiner
Art Unit 2135